

Panama Canal Regulations

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(2) He has completed at least 6 months work experience (i.e., 6 months in a pay status) as a Student Trainee in the agency that recommends his appointment; and

(3) His employing agency recommends him for noncompetitive appointment within 90 days after completion of his work-study program.

(d) Employees appointed to positions excluded from this subpart pursuant to §253.8(c)(5) may have their appointments converted to career or career-conditional appointments in accordance with regulations prescribed by the PAPB. Such regulations shall generally conform to the regulations of the Office of Personnel Management for conversion of excepted service appointments of physically or mentally handicapped persons to career or career-conditional appointments.

(e) A Professional and Administrative Career Intern Program participant who has successfully completed at least one year of the prescribed training may be noncompetitively appointed to a position at non-manual grades 7 and above for which he/she meets the qualification requirements.

(5 U.S.C. 5102, E.O. 12173, 12215)

[47 FR 12956, Mar. 26, 1982, as amended at 51 FR 33262, Sept. 19, 1986]

§ 253.45 Tenure following noncompetitive appointment.

(a) The noncompetitive appointment of a current or former Federal employee who has not completed the service requirement for Canal Area or Canal Zone career appointment or career appointment in the competitive service shall be made as a Canal Area Career-Conditional Appointment. The appointment shall be automatically converted to a Canal Area Career Appointment upon completion of the service requirement. A merit status shall be acquired upon satisfactory completion of any required probationary period.

(b) The noncompetitive appointment of a former or current Federal employee who has once completed the service requirement for Canal Zone or Canal Area Career Appointment or for career appointment in the competitive service shall be made as Canal Area Career Appointment.

(c) Former or current Federal employees who did not complete any required probationary periods prior to noncompetitive appointment shall be required to serve a probationary period of one year following appointment.

(d) The noncompetitive appointment of Volunteer or Volunteer Leader under the Peace Corps Act or VISTA volunteer under the Economic Opportunity Act shall be made as Canal Area Career-Conditional Appointment; shall be subject to satisfactory completion of a probationary period of one year; and shall be automatically converted to a Canal Area Career Appointment upon completion of the service requirement. A merit status shall be acquired upon satisfactory completion of probation.

(e) The noncompetitive appointment of a person who successfully completed a cooperative work-study program or a Professional and Administrative Career Intern Program under paragraph (c) or (e), respectively, of §253.44 shall be made as a Canal Area Career-Conditional Appointment or Canal Area Career Appointment and may be subject to the satisfactory completion of a probationary period of one year. Canal Area Career-Conditional Appointments shall be automatically converted to Canal Area Career Appointments upon completion of the Service requirements.

(5 U.S.C. 5102, E.O. 12173, 12215)

[47 FR 12956, Mar. 26, 1982, as amended at 49 FR 41025, Oct. 19, 1984]

§ 253.46 Promotion, demotion, reassignment, and transfer.

(a) Appointing officers may, in their discretion, promote, demote, reassign, or transfer employees who are serving under Canal Area Career or Career-Conditional Appointments, subject to the provisions of this section and in accordance with the appropriate qualification standards established by the PAPB for the position. Such actions will be based solely on the merit of the employee and upon his qualifications and fitness to hold the positions concerned. Such actions for employees serving under temporary or term appointments will be subject to such regulations as the agency may prescribe.

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In preparing such regulations the agency will be guided by the instructions published for the competitive service in the Federal Personnel Manual.

(b) Employing agencies shall establish a promotion plan for all employees which is consistent with the Panama Canal Treaty and insofar as practicable, with the provisions of the merit promotion plan developed by the Office of Personnel Management for the competitive service.

§ 253.47 Rotation of personnel.

(a) United States citizen employees and other non-Panamanian employees appointed to a position subject to this part after September 30, 1979 shall be subject to a policy of periodic rotation in accordance with the Panama Canal Treaty and related agreements, except that the following individuals shall not be subject to such policy:

(1) An individual who was a permanent employee of the Panama Canal Company or Canal Zone Government on September 30, 1979 and was transferred to a position in the Panama Canal Commission or another agency in the Republic of Panama on October 1, 1979 without a break in service.

(2) An individual who was separated from the Panama Canal Company or Canal Zone Government by reason of a reduction in force on September 30, 1979 and was appointed to a position in the Panama Canal Commission before April 1, 1980, or

(3) An individual who was employed by a department on September 30, 1979 and continues in employment with an agency, other than the Panama Canal Commission, without a break in service.

(b) The head of each agency shall establish a policy of periodic rotation in accordance with paragraph (a) of this section and other applicable law. Such policy may except positions from rotation for sound administrative reasons. This section shall not preclude an agency other than the Commission from adopting a policy of periodic rotation of employees pursuant to other authority.

(c) Notwithstanding any Canal Area Career or Career-Conditional Appointment or acquisition of merit status, an employee may, in accordance with an

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agency's rotation policy, be removed from service after completion of the service period under the rotation policy established under this section.

[47 FR 12956, Mar. 26, 1982, as amended at 51 FR 33262, Sept. 19, 1986]

Subpart C—Conversion to Canal Area Career or Career-Conditional Appointments

§ 253.71 Eligibility.

Incumbents of positions made subject to Subpart B of this part by revocation of an exclusion in § 253.8 or by other action, may be retained in their positions. Each retained incumbent without a personal or competitive status who is serving in a continuing position under a non-temporary appointment will become eligible for conversion to a Canal Area Career or Career-Conditional Appointment provided:

(a) He rendered 6 months satisfactory service in the position immediately prior to its inclusion under Subpart B of this part. Periods to be counted toward the 6-month period as an exception to the requirement for actual service shall be determined in accordance with the instructions applying to the competitive service as published in Chapter 315 of the Federal Personnel Manual.

(b) He meets the applicable qualification and suitability standards.

(c) His employing agency submits a timely recommendation which is approved by the PAPB.

§ 253.72 Procedure.

The employing agency shall recommend to the PAPB that the appointment of an eligible employee be converted. The recommendation shall be submitted not later than one year after the date that the position is brought within the coverage of Subpart B of this part. Upon approval by the PAPB, the conversion is effective as of the date of the employing agency's recommendation. Notice of the PAPB's decision together with the reasons therefor shall be given in writing to the agency and employee concerned and be made a part of the employee's official personnel folder.